

Patent Application
Attorney Docket No.PC10888A

Remarks

After entry of this amendment, claims 1-3, and 19 are pending in the present application. Claim 1-3 are amended to clarify the claims. It is requested that all cancelled claims are cancelled without prejudice. No new matter was added by these amendments.

1. Claim Rejections Under 35 U.S.C. § 112

The Examiner rejects claims 1-3 under 35 U.S.C § 112. The claim amendments obviate this rejection.

2. Claim Rejections Under 35 U.S.C. § 103 (a)

The Examiner rejects claims 1-3 and 19 under 35 U.S.C. § 103 (a) as allegedly being obvious in light of Angen. Chem. Int. Ed. Engl. Vol. 31, 1992 ("Kiener") in view of U.S. Patent No. 6,361,979 to Burns et al. ("Burns").

Burns was patented 3/26/02 and was filed 1/27/00. The present application was filed 8/8/01 and claims priority to provisional application no. 60/224089 filed 8/9/00. As such, Burns is used 35 U.S.C. § 102(e) type art under 35 U.S.C. § 103. Burns and the present application were, at the time the invention was made, subject to an obligation of assignment to Pfizer Inc., as evidenced by the attached assignment of provisional application no. 60/224089 and the assignment noted on the cover of Burns. As such, Burns should be removed as a reference under 35 U.S.C. § 103 (c).

Applicants believe that further and favorable action in the form of a Notice of Allowance Issue is next in order, and such action is earnestly solicited. Should the Examiner have any questions or comments regarding this amendment or the application in general, he is invited to call the undersigned at (860) 686-0349.

A petition for a two month extension of time is included herewith; as such, the Commissioner is hereby authorized to charge the two month extension of time fee, and any other fees that may be required, or credit any overpayment, to Deposit Account No. 16-1445.

Respectfully submitted,

Date: 9/10/03

Lisa Samuels
Lisa A. Samuels
Attorney for Applicant(s)
Reg. No. 43,080

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Pfizer Inc.
Patent Department, MS 8260-1611
Eastern Point Road
Groton, CT 06340
(860) 686-0349

Customer ID No.: 28523